

### **REMARKS**

Claims 1, 2, 4 and 6 are currently pending in the present application. Claim 1 has been amended in the present response by reciting carbon dioxide dissolving mediums (a) – (g). The amendment of claim 1 is supported in the specification, at least, in Examples 7, 11, 2 & 13, 8, 9, 12 and 3, respectively. No new matter has been added by way of the present claim amendment.

#### ***Objection to the Disclosure***

The Examiner has maintained the objection to the specification regarding the trademark TETRA CO<sub>2</sub>.

Applicant has amended the specification herein to properly recite the noted tradename, along with generic terminology and the “™” symbol. Accordingly, Applicant respectfully requests withdrawal of the outstanding objection.

#### ***Rejections under 35 U.S.C. §103 – Obviousness***

Claims 1, 4 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 07-171189 to Nishino et al. (hereinafter “Nishino”) in view of WO 99/24043, based on the English equivalent-US 6,689,339 to Tanaka et al. (hereinafter “Tanaka”) and further in view of Regnard.

Claims 2 and 9-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishino and further in view of Tanaka and further in view of WO 98/173340 to Westwood (hereinafter “Westwood”).

In the present response, Applicant has amended claim 1 to further recite the carbon dioxide dissolving mediums. Applicant respectfully submits that none of the recited carbon dioxide dissolving mediums are disclosed by the cited prior art references. Thus, Applicant respectfully submits that the cited prior art is inapplicable to the presently claimed invention. Reconsideration and withdrawal of the outstanding rejections are respectfully requested.

In view of the foregoing, Applicant believes the pending application is in condition for allowance. A Notice of Allowance is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Andrew D. Meikle, Reg. No. 32,868 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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